



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 14 मई, 2007 / 24 वैशाख, 1929

हिमाचल प्रदेश सरकार

श्रम एवं रोजगार विभाग

अधिसूचना

शिमला-2, 23 अप्रैल, 2007

संख्या श्रम (ए) 4-7/2006.—हिमाचल प्रदेश के राज्यपाल, न्यूनतम वेतन अधिनियम, 1948 (1948 का 11) की धारा 30 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश सरकार श्रम एवं रोजगार विभाग की अधिसूचना समसंख्यक दिनांक 17-2-2007 द्वारा अधिसूचित तथा दिनांक 27-2-2007 के राजपत्र, हिमाचल प्रदेश (असाधारण) में प्रकाशित हिमाचल प्रदेश न्यूनतम वेतन नियम, 1978 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं और जिनका एतद्वारा जन-साधारण से प्राप्त आक्षेप या सुझाव आमन्त्रित करने के लिए राजपत्र, हिमाचल प्रदेश (असाधारण) में प्रकाशन किया गया था

इन नियमों से संभाव्य प्रभावित होने वाला कोई भी व्यक्ति यदि इन नियमों के सम्बन्ध में कोई आक्षेप करना या सुझाव देना चाहे तो वह उन्हें उक्त प्रारूप नियमों के राजपत्र, हिमाचल प्रदेश में प्रकाशन की तारीख से 30 दिन के भीतर सचिव (श्रम एवं रोजगार) को भेजा जाना था ।

अतः जन-साधारण से कोई भी सुझाव प्राप्त नहीं हुए हैं ।

अतः राज्यपाल, हिमाचल प्रदेश, न्यूनतम वेतन अधिनियम, 1948 (1948 का 11) की धारा 30 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्न नियमों को बनाने के सहर्ष आदेश देते हैं ।

नियम

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश मिनिमम वेजिज (अमेंडमेंट) रूल्ज, 2006 हैं ।

2. नियम 28 का संशोधन.—हिमाचल प्रदेश मिनिमम वेजिज रूल्ज, 1978 (जिन्हें इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 28 में, उप-नियम (6) के पश्चात् नया उप-नियम (7) जोड़ा जाएगा अर्थात्:—

"(7) (a) Every employer shall submit employees/workers Identity Cards to the area Labour Officer within three days from the date of employment of the employees/workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker :

Provided further that if the employee/workman is required to be issued Employment Card/Pass Book under the Contract Labour (Regulation and Abolition) Act, Himachal Pradesh Rules, 1974 or under the Himachal Pradesh Migrant Workmen (Regulation of Employment & Condition of Service) Himachal Pradesh Rules, 1983, respectively, there shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978. However, if an identity card is required to be issued under the Minimum Wages rules 1978 ticket is required to be issued under the item No. 3 of Schedule 1 under Rule 3 of Industrial Employment (Standing order) Himachal Pradesh Rules 1973 and amendment Rules 1991 the same shall be issued under the former.

(b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees/workers employed in the establishment.

(c) The employer shall maintain the record of issue of Identity Cards of employees/workers of the establishment in Form-VII and shall also

maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its index in Form-VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.

- (d) The employees/workers identity Cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, which ever is earlier.
- (e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three year to the area Labour Officer. The Labour Officer shall return the same duly attested within a period of seven days from the date of receipt of the same, to the employer for further distribution to the employees/workers.
- (f) The Identity Card shall be maintained up to date and any change in it and corresponding Form No-VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. फार्म VII का प्रतिस्थापन.—इन नियमों से संलग्न फार्म—VII के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

FORM-VII

[See rules-28, 6 and 7]

Register of Employee

Sl. No.

--	--	--	--

(last 4 digits of Identity Card No.)

1. Name & Address of the Establishment.....

Tel. No.

2. Registration/Licence No.

3. Contractor Name.....

4. Contractor Licence No.

Affix Latest
photograph
of employee
to be
attested by
the employer

5. Contractor address.....
.....
6. Sl. No. of the worker in the Register of Workers.....
7. Worker/Employee Name.....
8. Father/Husband's Name.....
9. Date of Birth [DD/MM/YYYY]...../...../ 10. Sex [M/F]
11. Local Residential address of the worker.....
..... State.....
12. Permanent address of the worker.....
.....
State.....
13. Name of next of kin of the worker.....
..... Relationship.....
14. Date of Employment...../...../ (In the Current Job)
15. Wage Rate Per Month.....
16. Nature of Job/ Designation.....CODE (#).....
17. Intended time limit in present employment...../...../.....

.....
Signature /Thumb Impression of the Employee

Declaration.—It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Date.....

Signature of Employer/Contractor".

4. फार्म VII-ए का जोड़ा जाना.—इन नियमों से संलग्न फार्म—VII के पश्चात् निम्नलिखित फार्म अन्तस्थापित किया जाएगा, अर्थात् :—

FORM-VII-A
[See rule-28(7)]

Index of Form-VII
(to be maintained as a Column wise Register)

1. Serial No. of Form XIII (same as last 4 digits of Identity Card No.).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of Employment.....
6. Date of termination of employment along with reasons.....
7. Remarks:.....

Declaration.—It is declared that the information given in above Index are correct as per record and factual position.

Signature of the Employer".

5. फार्म XIII का जोड़ा जाना.—इन नियमों से संलग्न फार्म XII के पश्चात् निम्नलिखित फार्म जोड़ा जाएगा, अर्थात् :—

FORM-XIII
[See rule-28(7)]

Workers/Employees Identity Card

1. Name of Establishment.....
2. ID Card No.....
3. Name.....
4. Date of Birth.....
5. Father's/Husband Name.....

Photograph of
worker

6. Local Address.....
7. Name of Next of Kin.....
8. Permanent Address.....
9. Contractor Name.....
- Signature of Worker*.....
10. Licence No. if any.....
11. Address.....
12. Nature of Employment.....
13. Date of Employment.....
14. Wage rate.....
15. Valid upto.....

Issued by
Employer/Contractor Signature
Date of Issue.....

Attested by
Labour Officer/Inspector
Place....."

आदेश द्वारा,

हस्ताक्षरित / -
सचिव (श्रम एवं रोजगार)।

[Authoritative English Text of this Department Notification No.Shram(A)4-7/2006, dated 23-4-2007 as required under clause (3) of Article 348 of the Constitution of India].

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd April, 2007

No. Shram(A)4-7/2006.—Whereas the draft of the Himachal Pradesh minimum Wages Rules, 1978 were published as required under section 30 of the minimum Wages Act, 1948, (11 of 1948) in the Rajptra, Himachal Pradesh (Extra Ordinary) on 27-2-2007 vide notification of even number dated 17-2-2007 for inviting the objection & suggestions from the persons likely to be affected thereby before the expiry of 30 days from the date of the publication of the notification in the Rajptra Himachal Pradesh (Extra Ordinary);

And whereas no objections/suggestions were received from the general public. Now, therefore, in exercise of the powers conferred by section 30 of aforesaid Act, the Governor of Himachal Pradesh is pleased to make the following rules namely:—

Rules

1. Short title.—These Rules may be called the Himachal Pradesh minimum Wages (Amendment) Rules, 2006.

2. Amendment of rule-28.—In rule 28 of the Himchal Pradesh Minimum Wages Rules, 1978 (hereinafter referred to as the said Rules), after sub-rule (6), new sub-rule (7) shall be added namely :—

"(7) (a) Every employer shall submit employees/workers Identity Cards to the area Labour Officer within three days from the date of employment of the employees/workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker :

Provided further that if the employee/workman is required to be issued Employment Card/Pass Book under the Contract Labour (Regulation and Abolition) Act, Himachal Pradesh Rules, 1974 or under the Himchal Pradesh Migrant Workmen (Regulation of Employment & Condition of Service) Himachal Pradesh Rules, 1983, respectively, there

shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978. However, if an identity card is required to be issued under the Minimum Wages rules 1978 and ticket is required to be issued under the item No. 3 of Schedule 1 under Rule 3 of Industrial Employment (Standing order) Himachal Pradesh Rules 1973 and amendment Rules 1991 the same shall be issued under the former.

- (b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees/workers employed in the establishment.
- (c) The employer shall maintain the record of issue of Identity Cards of employees/workers of the establishment in Form-VII and shall also maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its index in Form-VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.
- (d) The employees/workers identity Cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, which ever is earlier.
- (e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three year to the area Labour Officer. The Labour Officer shall return the same duly attested within a period of seven days from the date of receipt of the same, to the employer for further distribution to the employees/workers.
- (f) The Identity Card shall be maintained up to date and any change in it and corresponding Form No.-VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. Substitution of Form VII.—For Form VII appended to these rules, the following shall be substituted, namely :—

FORM-VII

[See rules-28, 6 and 7]

Register of Employee

Sl. No.

--	--	--	--

(last 4 digits of Identity Card No.)

1. Name & Address of the Establishment.....
.....
Tel. No.
2. Registration/Licence No.
3. Contractor Name.....
4. Contractor Licence No.
5. Contractor address.....
.....
6. Sl. No. of the worker in the Register of Workers.....
7. Worker/Employee Name.....
8. Father/Husband's Name.....
9. Date of Birth [DD/MM/YYYY]...../...../ 10. Sex [M/F]
11. Local Residential address of the worker.....
..... State.....
12. Permanent address of the worker.....
.....
State.....
13. Name of next of kin of the worker.....
..... Relationship.....
14. Date of Employment...../...../ (In the Current Job)

Affix Latest
photograph
of employee
to be
attested by
the employer

15. Wage Rate Per Month.....
16. Nature of Job/ Designation.....CODE (#).....
17. Intended time limit in present employment...../...../.....

.....
Signature /Thumb Impression of the Employee

Declaration.—It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Date.....

Signature of Employer/Contractor".

4. Addition of Form-VII-A.—After Form VII appended to these rules, the following form shall be inserted, namely :—

FORM-VII-A
 [See rule-28(7)]

Index of Form-VII
 (to be maintained as a Column wise Register)

1. Serial No. of Form XIII (same as last 4 digits of Identity Card No.).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of Employment.....
6. Date of termination of employment along with reasons.....
7. Remarks:.....

Declaration.—It is declared that the information given in above Index are correct as per record and factual position.

Signature of the Employer".

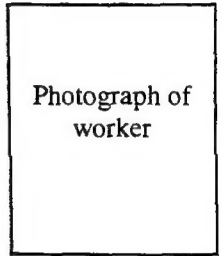
5. Addition of form-XIII.—After Form XII appended to these said rules, the following form shall be added, namely :—

Form-XIII

[See rule-28(7)]

Workers/Employees Identity Card

1. Name of Establishment.....
2. ID Card No.....
3. Name.....
4. Date of Birth.....
5. Father's/Husband Name.....
6. Local Address.....
7. Name of Next of Kin.....
8. Permanent Address.....
9. Contractor Name.....



Signature of Worker.....

10. Licence No. if any.....
11. Address.....
12. Nature of Employment.....
13. Date of Employment.....
14. Wage rate.....

15. Valid upto.....

Issued by

Employer/Contractor Signature

Date of Issue.....

Attested by

Labour Officer/Inspector

Place.....".

By order,

Sd/-

Secretary.